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TAGS: [PREL](#) [ELAB](#) [PGOV](#) [VE](#)
SUBJECT: CHAVEZ TO ILO: FRY MONKEYS!

REF: A. 03 CARACAS 3725

1B. 03 CARACAS 3200

Classified By: Abelardo A. Arias, Political Counselor,
for Reasons 1.4(b) and (d).

Summary

11. (C) A preliminary report by the International Labor Organization's (ILO) Committee on Freedom of Association determined that Venezuela's December 2002 - February 2003 work stoppage was tantamount to a general strike. The Committee deplored the mass dismissal of more than 18,000 PDVSA workers without due process and encouraged the GOV to negotiate a solution with the oil workers' union. President Hugo Chavez scorned the ILO report and swore the oil workers, "guilty of terrorism and sabotage," would never be rehired. Separately, Ministry of Labor officials noted that the report is preliminary and sides at times with the GOV position. Anti-Chavez unions hailed the report as a victory. We do not expect the GOV to heed the ILO recommendations, yet another repudiation from the international community of Chavez's administration. End summary.

ILO Body Chides GOV

12. (U) The International Labor Organization's (ILO) Committee on Freedom of Association (CFA) released a report in late March cataloging the status of a host of complaints against the GOV lodged by labor groups. The CFA report treats in-depth the complaints brought by ex-PDVSA workers over the GOV's dismissal of more than 18,000 oil workers after the December 2002 - February 2003 strike. UNAPETROL, a union formed in 2003 by PDVSA managers and workers, and FEDEUNEP, the public sector workers union aligned with the anti-Chavez Confederation of Workers of Venezuela (CTV) took the complaints to the ILO. In addition to the complaints about the mass dismissals, UNAPETROL complained about the Ministry of Labor's rejection of UNAPETROL's registration as a union, the forced evictions of fired workers from PDVSA housing, and denial of education in schools belonging to the state oil company, PDVSA, to the children of these workers (ref a).

Mass PDVSA Firings An "Abuse"

13. (U) The CFA deplored the GOV's "hasty and disproportionate" nature of the mass dismissals that are "tantamount to abuses and destroy labor regulations." The work stoppage was similar to, in the view of the Committee, a generalized strike. The GOV argued in its response that the national work stoppage, led in part by senior and middle class PDVSA managers, had as its goal the overthrow of President Chavez and was not, therefore, a labor action. The workers left their positions for more than 60 days, the GOV argued, which legally permitted PDVSA to fire them without Ministry of Labor approval. The GOV also admitted that faulty computer systems at the time caused them to fire 1,032 employees who were on sick or maternity leave, an error that, the GOV claims, was subsequently rectified. The CFA concluded that the dismissal of more than 18,000 workers suggests the strike cannot be attributed solely to senior and middle managers. The CFA recommended that the Governing Body of the ILO request the GOV to engage in negotiations with the most representative trade union to find a solution to the mass firings (Note: The report does not order the GOV to rehire the workers, as some media reports suggested). Though recommending the GOV consult with workers over denial of benefits such as education and housing, the CFA accepted the GOV's arguments that it had given ample time for the workers to make other arrangements.

14. (U) The Ministry of Labor denied UNAPETROL's application

for recognition as a union on the grounds that the proposed union was to be composed of both managers and employees (ref b), violating the "purity principle" of union formation. The CFA accepted this argument, but criticized the GOV for unnecessary administrative delays in processing the application, and encouraged the GOV to work directly with UNAPETROL to find a feasible solution to this objection.

Chavez Responds ILO

15. (U) In his weekly television program on March 28, Chavez responded to the ILO, calling the organization an accomplice in an international campaign to discredit his government. He told the ILO that the fired oil workers are "coup-plotters, terrorists, and saboteurs" who would never return to their jobs. He told the ILO to "fry monkeys" (best translated as "take a hike"). He attacked the ILO as "hypocritical Pharisees" for recognizing the stridently anti-Chavez CTV as representatives of Venezuela's labor movement. He called the national work stoppage "sabotage," not a general strike as the CFA concluded.

16. (U) Ministry of Labor officials minimized the importance of the report, claiming that it contains only preliminary recommendations. Vice Minister of Labor Ricardo Dorado told reporters that, despite Chavez's comments, Venezuela has no intention of withdrawing from the ILO. A pro-GOV group of petroleum workers spoke from the presidential palace on March 30 denouncing the fired workers who "abandoned their posts" in an attempt to topple the Chavez government. The spokesperson for the group said if the ILO's Committee for Freedom of Association does not respect the will of Venezuela's workers, then the worker class does not have the duty to respect the ILO's resolutions.

Labor Celebrates

17. (U) UNAPETROL President Horacio Medina told reporters March 29 the ILO's report is an important first victory for the fired petroleum employees. The report, he asserted, lends credibility to his organization's claims of GOV violations of labor rights. He added he had already sent a letter to Minister of Labor Maria Cristina Iglesias to request a meeting on the points raised by the CFA. Medina said he doubted the Minister would grant the meeting, however.

Next Steps at ILO

18. (SBU) We understand that CFA recommendations are discussed but seldom altered by the Governing Body. The CFA will meet again May 27-28 to produce another report, probably including recommendations on the charges against CTV President Carlos Ortega, currently in exile in Costa Rica. The Governing Body will meet June 1-17, during which time it will approve the CFA report. The March 2004 report references a total of 12 complaints, but the GOV either did not respond or did not send comments until the day before the CFA convened. (Note: The full report may be accessed at <http://www.ilo.org/public/english/standards/relm/gb/docs/gb289/pdf/lils-3/pdf.>)

Comment

19. (C) The fired oil workers' alleged treason against Chavez's revolution is orthodoxy in the Bolivarian catechism; the GOV will not change its position based on an ILO report. Still, a rebuke from international organized labor tarnishes the GOV's desired image as a champion of the poor. We expect the GOV to start damage control activities now against the possible results of the ILO's June meeting. The report,

which has boosted the morale of Venezuelan organized labor, is also another log on the fire of international opinion against the Chavez government. Yet no matter how hard the ILO hits the GOV in a report, the moribund CTV seems incapable at this time of mobilizing workers. It has glaringly, for example, failed to use classic labor actions such as stoppages, walkouts, or slowdowns to protest the current dismissals and intimidation of public sector workers who signed the petition for a referendum to recall President Chavez.
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